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Attorney for Defendant  
CYNTHIA SEELEY

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 2:20-CR-0202 WBS
	)	
Plaintiff,	)	
	)	<b>STIPULATION AND ORDER</b>
vs.	)	<b>CONTINUING STATUS CONFERENCE</b>
	)	<b>AND EXCLUDING TIME</b>
CYNTHIA SEELEY,	)	
	)	
Defendant.	)	Judge: Hon. William B. Shubb
	)	Date: September 26, 2022
	)	Time: 9:00 a.m.
	)	

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Plaintiff, United States of America, by and through its  
counsel of record, and defendant, by and through her counsel of  
record, hereby stipulate as follows:

1. By previous order, this matter was set for status  
conference on September 26, 2022.

2. By this stipulation, defendant moves to continue the  
status conference to October 31, 2022, and to exclude time  
between September 26, 2022, and October 31, 2022, under Local  
Code T4.

1           3.     The parties agree and stipulate, and request that the  
2 Court find the following:

3           a)     Defense counsel requests additional time to allow the  
4 government to review evidence he recently provided on  
5 September 16, 2022, which he believes will assist in the  
6 resolution of this case. Once the government's review is  
7 completed, defense counsel will need additional time to  
8 confer with his client, who resides in Butte County, about  
9 the case and potential resolutions. and this typically  
10 requires an in-person meeting.

11          b)     Additionally, defense counsel has asked government  
12 counsel to meet with him and an expert after the records  
13 have been reviewed to discuss whether to proceed to trial  
14 or seek some other resolution. Defense counsel believes  
15 the meeting is necessary to provide effective  
16 representation.

17          c)     Finally, defense counsel requires this additional time  
18 to continue preparing for trial in the event this matter is  
19 not otherwise resolved.

20          d)     Counsel for defendant believes that failure to grant  
21 the above-requested continuance would deny the defense the  
22 reasonable time necessary for effective preparation, taking  
23 into account the exercise of due diligence.

24          e)     The government does not object to the continuance.

25          f)     Based on the above-stated findings, the ends of  
26 justice served by continuing the case as requested outweigh  
27 the interest of the public and the defendant in a trial  
28

1 within the original date prescribed by the Speedy Trial  
2 Act.

3 g) For the purpose of computing time under the Speedy  
4 Trial Act, 18 U.S.C. § 3161, et seq., within which trial  
5 must commence, the time period of September 26, 2022, to  
6 October 31, 2022, inclusive, is deemed excludable pursuant  
7 to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because  
8 it results from a continuance granted by the Court at  
9 defendant's request on the basis of the Court's finding  
10 that the ends of justice served by taking such action  
11 outweigh the best interest of the public and the defendant  
12 in a speedy trial.

13 4. Nothing in this stipulation and order shall preclude a  
14 finding that other provisions of the Speedy Trial Act dictate  
15 that additional time periods are excludable from the period  
16 within which a trial must commence.

17 IT IS SO STIPULATED.

18 Respectfully Submitted,

19  
20 Dated: September 20, 2022 /s/ T. Zindel  
21 TIMOTHY ZINDEL  
22 Attorney for CYNTHIA SEELEY

23 PHILIP A. TALBERT  
24 United States Attorney

25 Dated: September 20, 2022 /s/ T. Zindel for Shelley D. Weger  
26 SHELLEY D. WEGER  
27 Assistant U.S. Attorney  
28

**O R D E R**

The Court adopts the findings set forth above. The status conference is continued to October 31, 2022, at 9:00 a.m. and time is excluded through that date, commencing today, for the reasons and on the basis set forth above.

IT IS SO ORDERED.

Dated: September 20, 2022



**WILLIAM B. SHUBB**

**UNITED STATES DISTRICT JUDGE**